



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



James E. Hartl, AICP
Director of Planning

July 15, 2004

TO: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

FROM: James E. Hartl, AICP
Director of Planning

**SUBJECT: SUPPLEMENTAL INFORMATION FOR THE JULY 20, 2004
BOARD HEARING REGARDING THE ROWLAND HEIGHTS
COMMUNITY STANDARDS DISTRICT (CSD)**

This letter contains supplemental information regarding the proposed amendment to the Rowland Heights Community Standards District (CSD). In my previous correspondence, dated February 10, 2004, staff forwarded to you the CSD approved by the Regional Planning Commission (RPC), which is known as Option C, and informed you that we were preparing the additional information requested by the RPC for your consideration prior to the public hearing scheduled for July 20, 2004.

The Regional Planning Commission (RPC) approved the amendment (Option C) to the Rowland Heights CSD at their meeting on January 28, 2004. During the public hearing, the RPC heard testimony from members of the business community and several architects that the proposed development standards are too restrictive for smaller properties. In addition, other concerns were raised by the business community regarding the proposed procedures for reviewing commercial projects. In approving the CSD, the RPC instructed the planning staff to research these concerns and provide information and recommendations to your Board regarding the impact of the CSD provisions on smaller properties and other issues raised at the hearing.

In March, at the request of the First and Fourth District offices, the Department of Regional Planning (DRP) and the Community Development Commission completed the process to secure the services of a planning/mediation consultant

who could work with the business community and the residents' groups to help facilitate agreement on a version of the CSD for consideration by the Board at the public hearing. The County hired Jeffrey Lambert to mediate within the community to explore possible alternatives, and his mediation efforts have been ongoing since the beginning of April. Mr. Lambert continues to work closely with the community organizations, as well as my staff and staff from both the First and Fourth District offices.

As you are aware, the public hearing has been continued several times (March 23, May 25, June 22), to accommodate additional mediation meetings and to allow for Mr. Lambert's presentation to the Rowland Heights Community Coordinating Council (RHCCC). The RHCCC is a community organization that has historically represented the residents in Rowland Heights and Mr. Lambert presented a draft of an alternative CSD, known as the "Mediator's Alternative CSD," to obtain feedback from the group. The RHCCC has to-date formally opposed any variation from the version of the CSD approved by the RPC ("Option C"), a copy of the draft ordinance describing Option C was attached to our original letter to your Board, and is attached hereto for your convenience.

Recently, your Board has received various petitions with approximately 1100 signatures, mostly of Rowland Heights residents supporting Option C as approved by the RPC. As we understand it, the petition drive has been ongoing for several months and the most recent petitions refer to the County-sponsored mediation efforts.

I am enclosing a copy of the final version of the Mediator's Alternative CSD which has been provided to the County by Mr. Lambert. The mediator's recommendation is the result of numerous meetings and conversations between Mr. Lambert and various community representatives, community groups and organizations, planning staff, and the affected Board offices.

My staff has assisted in the mediation process by working with the mediator, coordinating meetings, and facilitating discussions with the First and Fourth District offices. We have also reviewed the public testimony from the RPC hearing, met with an architect with projects in Rowland Heights, and researched concerns about the proposed development standards and their impact on smaller properties.

Based on our work with the mediator and additional research, including a review of development standards and review processes applicable in neighboring communities, there are several modifications to the Commission-approved CSD amendment that may be appropriate, including the following revisions:

- **Setback** - Option C, approved by the RPC, included a 20 ft. setback from a public street and a 35 ft. setback for buildings greater than 20 ft. in height. It would be appropriate for your Board to consider an alternative, less restrictive method for determining building placement as recommended in the mediator's proposal, which allows a 20 ft. setback from major and secondary highways, and a 15 ft. setback from local and collector streets. Staff supports the mediator's recommendation which is reasonable and consistent with the RPC's instruction that the planning staff consider small lot constraints.
- **Landscape** – Option C included a 15% landscape requirement for lots under 1 acre in area and 10% for lots 1 acre and greater in size. It would be appropriate to consider revised landscaping requirements as recommended in the mediator's alternative, which requires a 15% landscape requirement for lots less than and equal to 30,000 sq. ft., and 10% landscape requirement for lots greater than 30,000 sq. ft. in area, with additional landscape improvement standards, including the following:
 1. Landscaping should consist of 24-inch and 36-inch box trees, 5 and 15 gallon size shrubs, and ground cover;
 2. Landscaping should occur around the entire base of the building to soften the edge between the parking lot and the structure;
 3. Planting should be used to screen less desirable areas from public view, i.e. trash enclosures, parking areas, storage areas, loading areas, and public utilities;
 4. A landscaping buffer with a minimum width of 3 ft. and height of 3 ft. should be provided between parking areas and public rights-of-way.

Although the mediator's proposal is slightly more restrictive than what the RPC approved for small lots, planning staff supports the mediator's recommendation which is a reasonable requirement and provides guidance on specific planting types, sizes, and buffering requirements.

- **Lot Coverage** – This is the most controversial standard in the community. Option C included a 33% lot coverage maximum. Based on our research, including our preparation of the attached diagrams comparing various lot coverages based on actual and proposed development on small corner lots, the proposed standard is overly restrictive and it would be appropriate to allow a larger lot coverage standard, such as 40%.

The mediator has recommended a 40% lot coverage maximum, with upper floor overhangs for non-occupied space, such as walkways, exempt

from this coverage calculation provided they have a width no greater than 5 ft. and are not used for any purpose other than for circulation. We recommend that you consider the mediator's alternative, which represents a reasonable standard.

- **Floor-Area Ratio** – Option C included a 0.5 floor-area ratio maximum. Based on our research, we believe and the mediator has confirmed it would be appropriate not to include a floor-area ratio in the CSD amendment because the setbacks, lot coverage, and use provisions are sufficient to regulate development intensity.
- **Process Thresholds** – Option C included a CUP requirement for new construction of additional floor area that generates 500 net daily trips (new construction) triggering a CUP requirement, with a discretionary director's review process for projects generating 500 or more net daily trips but not involving this type of construction.

Your Board has considerable flexibility in establishing alternative processes and thresholds for reviewing projects based upon what the RPC has already considered. Through the mediation process, the community representatives expressed concern for the trip generation standard. In the community's view, trip generation is difficult to understand and to calculate without sufficient technical information and assistance.

The mediator has recommended that, in order to simplify the process and provide more certainty to the community regarding when and under what conditions a particular review process is triggered, it would be appropriate for you to consider eliminating the trip generation thresholds and to instead consider review thresholds based on specific land uses, lot size, and/or floor area. The planning staff supports this recommendation which simplifies the process by basing the development review on land use types and the amount of development.

- **Use Limits/Parking Requirements/ Height Along Colima Road:** The mediator has recommended the following additional regulations that were developed during the mediation effort that were not included in Option C:
 1. Restaurants with greater than 2,500 sq. ft. of floor area (new construction or intensification of existing use): Require a Discretionary Director's Review with revised notification procedures and appeal procedures.
 2. On lots with an area of less than or equal to 30,000 sq. ft., new restaurants would be prohibited if the existing and new development exceeds 33% lot coverage.

3. "Take-out only" restaurants would be required to provide parking at the sit-down restaurant standard (a minimum of 10 parking spaces, where the calculation is one parking space required for every three persons based on the occupancy load of the restaurant).
4. Existing height limits in the commercial zones would remain the same (Zones C-1 and C-2: 35 ft., Zone C-3: 45 ft.), with the addition of Zone C-3 lots fronting Colima Road being limited to 2 stories within 300 ft. of the Colima Road Right-of-Way; beyond 300 ft. from Colima Road a third story would be allowed provided it was limited to office uses only.

The planning staff supports the mediator's recommendations on these additional issues. The Zoning Ordinance currently regulates some land uses through discretionary review processes and more restrictive development standards (such as lot coverage, parking, number of building stories), which is appropriate when a use or development type has the potential to create nuisance impacts.

- **Limited Discretion/Enhanced Public Notice:** We have found over the past year, that there are various alternative review processes that can be considered, including a Discretionary Director's Review and/or a Minor Conditional Use Permit process (in lieu of a full CUP) for projects containing certain land uses. The RPC had tentatively approved some of these alternative processes last year and ultimately elected not to accept a minor CUP because of certain limitations to the existing procedure relating to public hearing requests.

The mediator has recommended eliminating the CUP requirement, and retaining the Discretionary Director's Review only for restaurants with greater than 2,500 sq. ft. of floor area (new construction or intensification of existing use) with enhanced notification procedures and appeal procedures. The mediator has recommended enhancements to the proposed Discretionary Director's Review process that were not considered in Option C, including notice to property owners within a 500 ft. radius, a 15-day comment period, and notification of action to the applicant and any party who provides comments. The Director's action would be appealable to the Regional Planning Commission and/or could be called up for review by the Commission; the Commission's action may be appealed to the Board of Supervisors and/or called up for review by the Board.

The planning staff supports the mediator's recommendations on these issues because they represent a straightforward yet enhanced approach

to imposing new development standards that must be satisfied or would be subject to the County's Variance procedure.

- **Corner Lots:** The mediator has recommended the following provisions applicable to corner lots:
 1. Corner cut-off requirement: new development on corner lots would be required to maintain a triangular area measured 30 ft. from the point the two property lines intersect where no building is allowed; and
 2. Zero lot line: where feasible, buildings would be required to be located as close to interior lot lines of corner commercial parcels adjoining a commercially-zoned property, so that the building is situated furthest from the adjoining streets as possible.

The planning staff supports these recommendations on these issues because they provide reasonable development requirements for corner lots that are enhancements beyond what the RPC approved.

- **Variance Required:** Any modification to these new development standards would be considered only through the variance procedure contained in Part 2, Chapter 22.56 of the Zoning Code. The planning staff and the mediator support the variance procedure which encourages conformance to the proposed development standards.
- **Community Information:** The mediator has recommended that the CSD include a formal notification process. Under this process, the DRP would provide public information on cases filed to the various community groups. Also the Public Works Department would provide information on approved building permits to these same community groups via electronic mail and U.S. Mail. The planning staff supports the mediator's recommendation which provides the community with enhanced information services beyond what Option C proposes.

A draft ordinance amendment is attached for your consideration, incorporating the changes to the CSD recommended by the mediator and supported by the staff. A table comparing Option C with the Mediator's Alternative, and with the existing CSD, is also enclosed for your information.

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Once public testimony is completed, it would be appropriate to close the public hearing and instruct County Counsel to prepare a final ordinance reflecting your preferred alternative along with any changes that your Board deems appropriate, for submission to you at a later date. Your Board has some additional time to consider this matter since the urgency ordinance currently in effect in the community was extended to April 27, 2005.

Should you have any questions, please contact me, or Julie Moore at (213) 974-6425.

JEH:jtm

Enclosures: Option C – Draft CSD Amendment Approved by the RPC
Mediator's Alternative CSD and Transmittal Letter
Lot Coverage Comparison Diagrams
Draft CSD Amendment Reflecting the Mediator's Alternative
Comparison Table: Option C and Mediator's Alternative

c: Executive Officer
County Counsel
Public Works